

*Interoperability* means the ability of telecommunications resources to provide services to and accept services from other telecommunications resources and to use the services so exchanged to enable them to operate effectively together.

*Long distance telephone service* means any service or facility purchased with Government funds for completing telephone calls outside of the local service area.

*National security and emergency preparedness (NSEP)* means those physical, technical, and administrative characteristics of telecommunications systems that will ensure a prescribed level of survivability in times of national or other emergency mission needs of the Government entities that use them.

### Subpart 101-35.1—Use of Government Telephone Systems

#### § 101-35.100 Scope of subpart.

This subpart discusses the policies and procedures for using long distance telephone service.

### Subpart 101-35.2—Authorized Use of Long Distance Telephone Services

#### § 101-35.200 Scope of subpart.

This subpart discusses authorized use of telephone systems and facilities provided, paid for, or reimbursed by the Federal Government.

#### § 101-35.201 Authorized use of long distance telephone services.

(a) *Scope.* This section describes policies and procedures for the use of Government-provided and commercial long distance telephone service paid for by the Government.

(b) *General.* Agencies should be familiar with the Office of Management and Budget (OMB) "Guidance on the Privacy Act Implications of Call Detail Programs to Manage Employees' Use of the Government's Telecommunications Systems" (52 FR 12990, April 20, 1987).

(c) *Policy.* (1) Telephone calls placed over Government-provided and commercial long distance systems that will be paid for or reimbursed by the Gov-

ernment, shall be used to conduct official business only.

(2) To the maximum extent practicable, Federal employees shall place calls on Government-provided long distance telephone systems and services instead of using commercial toll services.

(3) In accordance with 5 CFR 2635.704, the following practices are prohibited and a willful violation may result in criminal, civil, or administrative action, including suspension or dismissal:

(i) Use of any Government system or service, or any other telephone service, where the Government pays the cost of the long distance call, for other than official business, except emergency calls and calls the agency determines are necessary in the interest of the Government.

(ii) Making an unauthorized long distance telephone call with the intent to later reimburse the Government.

(iii) Unauthorized use of telephone call detail data.

(d) *Procedures.* Official business calls may include emergency calls and other calls the agency determines are necessary in the interest of the Government.

(1) Telephone calls may properly be authorized when they—

(i) Do not adversely affect the performance of official duties by the employee or the employee's organization;

(ii) Are of reasonable duration and frequency; and

(iii) Could not reasonably have been made at another time; or

(iv) Are provided for in a collective bargaining agreement that is consistent with this part.

(2) Personal long distance calls that must be made during working hours may be made over the commercial long distance network if consistent with the criteria in paragraph (d)(1) of this section and are:

(i) Charged to the employee's home phone number or other non-Government number (third-number call);

(ii) Made to an 800 toll-free number;

(iii) Charged to the called party if a non-Government number (collect call); or

(iv) Charged to a personal telephone credit card.

(3) Agencies shall issue directives on using telephone facilities and services. Agencies' contractor-operated facilities shall be covered by these directives. The directives may provide further definition of calls necessary in the interest of the Government and shall include procedures for collection and reimbursement for unauthorized calls.

**§ 101-35.202 Collection for unauthorized use.**

(a) Agencies shall collect for any unauthorized calls if it is cost-effective to do so. Reimbursing the Government for unauthorized calls does not exempt an employee from appropriate administrative, civil, or criminal action.

(b) Agency collections shall include—

(1) The value of the call, computed on the basis of commercial long distance rates rounded to the nearest dollar; and

(2) An additional amount rounded to the nearest dollar to cover the administrative costs of determining that the call was unauthorized and processing the collection.

**Subpart 101-35.3—The Mandatory FTS Long Distance Network**

**§ 101-35.300 Scope of subpart.**

This subpart describes the GSA FTS program and contracts that are mandatory-for-use by agencies.

**§ 101-35.301 The mandatory FTS long distance network.**

**§ 101-35.301-1 General.**

(a) In accordance with section 629 of Public Law 104-52, (109 Stat. 468, 504, November 19, 1995), executive agencies must use the FTS long distance network.

(b) GSA will grant exceptions to the use of the FTS long distance network when:

(1) The agency's procurement requirements are unique and cannot be satisfied by the FTS long distance network; and

(2) The agency procurement would be cost-effective and would not adversely affect the cost-effectiveness of the FTS long distance network.

(c) The FTS long distance network provides Federal agencies modern up-

to-date intercity telecommunications services over the life of the program. GSA will enhance existing services and add features to the FTS long distance network to maintain technologically current services and to improve services to user agencies. GSA will make service improvements in accordance with agencies' needs, contract provisions, governing regulations and statutes.

(d) As used in this FPMR, the terms intercity and long distance have the same meaning.

**§ 101-35.301-2 Policies.**

(a) Executive agencies shall use the FTS long distance network to satisfy intercity telecommunications requirements within the United States, Guam, Puerto Rico, or the Virgin Islands for requirements which are within the scope of the FTS long distance network voice, data, and video services as such services become available unless:

(1) The agency requests and obtains from GSA an exception to the use of the FTS long distance network based on a GSA determination that:

(i) The agency's procurement requirements are unique and cannot be satisfied by the FTS long distance network; and

(ii) The agency procurement would be cost-effective and would not adversely affect the cost-effectiveness of the FTS long distance network;

(2) The agency requests and obtains from GSA an interim exception to the use of the FTS long distance network based on an established date for transition to the FTS long distance network; or

(3) An exception to the use of the FTS long distance network for the agency is otherwise provided by law.

(b) Unless any of the exceptions listed in paragraph (a) of this section apply to the procurement, and when overall procurement requirements include any agency long distance telecommunications requirements which are within the scope of FTS services, executive agencies shall require offerors in new awards to satisfy those requirements by using the Government furnished services of the FTS long distance network as such services become available.